

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
UNITED STATES OF AMERICA, :  
: Plaintiff,  
against : 07 Civ. 7694 (GEL)  
PETER CASTELLANETA and QUEENS LONG :  
ISLAND MEDICAL GROUP, P.C. :  
: Defendants.  
-----x

**DEFENDANT'S MOTION TO DISMISS**

PLEASE TAKE NOTICE that Defendant Peter Castellaneta, by his undersigned attorney, will move, before the Hon. Gerald E. Lynch, United States Courthouse, 500 Pearl Street, New York, New York, on March 4, 2008 at 9:30 a.m. or at such other date and time as the Court may set, for an order under FED. R. CIV. P. 12(b)(6) dismissing the government's interpleader complaint and directing the return of Mr. Castellaneta's funds.

In support of this motion, defendants rely upon the Affidavit of Peter Castellaneta and the attached Memorandum of Law in Support of Motion to Dismiss.

Dated: New York, New York  
February 4, 2008

Respectfully submitted,

KARASYK & MOSCHELLA, LLP  
  
By: \_\_\_\_\_  
Peter E. Brill (PB 0818)  
Attorney for Defendant Peter Castellaneta  
225 Broadway, 32nd Floor  
New York, NY 10007  
(212) 233-3800

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
United States of America, :  
: Plaintiff, :  
: against : 07 Civ. 7694 (GEL)  
: PETER CASTELLANETA and QUEENS LONG :  
ISLAND MEDICAL GROUP, P.C. :  
: Defendants. :  
-----x

---

**DEFENDANT'S MEMORANDUM OF LAW IN SUPPORT OF MOTION TO DISMISS**

---

KARASYK & MOSCHELLA, LLP  
Peter E. Brill (PB 0818)  
*Attorney for Defendant Peter Castellaneta*  
225 Broadway, 32nd Floor  
New York, NY 10007  
(212) 233-3800

1. Defendant, Peter Castellaneta, respectfully moves this Court for relief under Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing the government's interpleader complaint and further requests that the Court direct the return of Mr. Castellaneta's funds.

2. Law relevant to the attachment and interpleader arguments below are contained in Castellaneta's previous Memorandum of Law on those issues, dated September 14, 2007.

#### Statement of Facts

3. This Memorandum of Law is submitted pursuant to the Court's reopened inquiry into the appropriateness of the interpleader action and the correct disposition of Mr. Castellaneta's seized funds.

4. For the Court's information, at the preliminary conference in the state civil case, held before the Hon. Michael D. Stallman of New York State Supreme Court on January 24, 2008, that Court directed that the Plaintiff was to correct and re-file its defective Summons and Complaint and made clear that it does not wish to see a motion for summary judgment from QLIMG at any time in the near future. The current date set for filing of the Note of Issue is September 1, 2008. As such, the realistic date for a trial in the state civil matter will be at the very end of 2008 or the beginning of 2009, at the earliest.

5. There has been no civil demand or claim in the state action for the specific funds in the Court's possession; merely a general demand for damages. In fact, in QLIMG's October 12, 2007 memorandum of law opposing Mr. Castellaneta's motion to reconsider, it states that "the property seized by the Government in this criminal action *represents* the monies wrongly taken by these three individuals from QLIMG." Paragraph 7, emphasis added. Of the \$590,000 seized, approximately \$476,654.24 was seized from Mr. Castellaneta, who never received

anything close to \$476,654.24 from QLIMG or Stafford. As such, the \$590,000 neither comprises nor fairly “represents” monies taken from QLIMG.

6. As such, it is respectfully suggested that allowing Mr. Castellaneta’s personal funds to remain in this Court’s possession would not only be improper, but unjust as well as a significant impairment to his ability to properly defend himself in the state civil action.

### **ARGUMENT**

7. Despite ample opportunity and the implicit urging by this Court to do so, QLIMG has not sought to effect a pre-judgment attachment in New York State Supreme Court. Logically, then, QLIMG must be aware that such an attempt would be fruitless. It cannot meet any of the requirements set forth by New York CPLR § 6201, governing pre-judgment attachment. Mr. Castellaneta resides in New York, has not attempted to frustrate QLIMG’s recovery, has not attempted to remove assets, and has not been convicted of the crime on which QLIMG is basing its suit. Additionally, he has ample other assets that could satisfy any eventual judgment against him. Thus, the only way to accomplish pre-judgment attachment in this case is if this Court, in effect, grants a temporary restraining order that would not have succeeded in state court. This would subvert the intention of New York State law and leave Mr. Castellaneta at a great disadvantage in that matter, a situation QLIMG no doubt welcomes.

8. Interpleader is inappropriately applied in this case. First, and most significantly, the “claims” to the money in the Court’s possession are not actually adverse: The money seized from Mr. Castellaneta does not belong to QLIMG, nor does QLIMG have any claim against the government for the seized funds. QLIMG has not and cannot file a legitimate *in rem* action for Mr. Castellaneta’s funds, and there has been no suggestion by QLIMG to the contrary. QLIMG is suing Mr. Castellaneta—not the government—for a money judgment for a similar amount, but

QLIMG has made no claim against the actual funds in the government's possession. QLIMG cannot even claim to be owed restitution due to Mr. Castellaneta's acquittal, and it has no other cognizable claim to that specific money. Even if Mr. Castellaneta were to concede QLIMG's entire cause of action in state court, it would be entitled to a judgment of approximately \$600,000 against him, not immediate possession of the actual funds in the Court's possession.

9. Additionally, QLIMG cannot proceed on a theory of adversity based on Mr. Castellaneta's inability to meet a potential judgment from other assets. Mr. Castellaneta would be able to satisfy any judgment against him from his current assets, including a valuable house and business, without resort to the approximately \$476,654.24 in seized funds. See *Affidavit of Peter Castellaneta*.

10. Similarly, in its interpleader action, the government could not show that it faced double liability if it returned Mr. Castellaneta's money to him. There has been no suggestion that QLIMG has any cause of action against the government regarding Mr. Castellaneta's conduct or his funds, and none has been filed to date. If Mr. Castellaneta's funds were released to him, the government would bear no greater liability than it faces today--which is none. As such, there is no "real or reasonable" fear of double liability to justify interpleader relief.

11. Further, because the originally seized funds were taken from several different accounts and were over four times greater than the amount the government alleged Mr. Castellaneta received from Stafford, the government did not adequately identify a single fund for interpleader. This absence of an identifiable fund precludes the interpleader. Approximately seventy-five percent (75%) of the seized funds are from Mr. Castellaneta's personal accounts. Therefore, at the very most, QLIMG's claim relates to the remaining (approximately) quarter of the \$476,654.24 originally seized, or \$111,380.94 that Mr. Castellaneta would consent to remaining in the Court's possession pending the outcome of the state civil litigation.

12. As noted above, QLIMG's sole claim is against Mr. Castellaneta. It has filed no claim against the government relating to the seized funds. The single liability the government faces is from Mr. Castellaneta, from whom it has wrongfully seized personal funds. Liberal application of the interpleader concept is not sufficient to excuse noncompliance with its requirements. The seized funds belong to Mr. Castellaneta, he has other assets to satisfy any future claims, and to allow the interpleader action to stand will effectively grant QLIMG an unfair advantage in the state civil proceedings.

13. As shown in his July 13, 2007 Petition for Release of Seized Property and under 18 U.S.C. § 983, Peter Castellaneta is entitled to the return of the approximately \$476,654.24 seized by the government. Permitting the government to use interpleader to thwart this outcome fails to remedy his injury and, in fact, sanctions the government's improper conduct in seizing funds to which it was not entitled. To remedy the government's illegal retention of the funds, this Court should dismiss the interpleader action and direct the return of all of Mr. Castellaneta's funds.

14. Mr. Castellaneta asks this Court to return all funds seized from him by the government in the criminal matter. If, in this Court's discretion, it finds that it would be appropriate to retain the \$111,380.94 in proceeds the government has previously alleged that Mr. Castellaneta received from Stafford pending the outcome of the QLIMG litigation, Mr. Castelanetta would have no objection.

**Conclusion**

For all the foregoing reasons, Defendant Peter Castellaneta respectfully requests that this Court dismiss the interpleader action and direct the return of all of Mr. Castellaneta's funds or, in the alternative, direct the return of all but \$111,380.94.

Dated: New York, New York  
February 4, 2008

Respectfully Submitted,

KARASYK & MOSCHELLA, LLP

By:

  
Peter E. Brill (PB 0818)  
Attorney for Defendant Peter Castellaneta  
225 Broadway, 32nd Floor  
New York, NY 10007  
(212) 233-3800

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x	
UNITED STATES OF AMERICA,	:
Plaintiff,	:
against	:
PETER CASTELLANETA and QUEENS LONG ISLAND MEDICAL GROUP, P.C.	:
Defendants.	:
-----x	

---

**AFFIRMATION OF  
PETER CASTELLANETA**

PETER CASTELLANETA, being duly sworn, deposes and says:

1. I am the Defendant in the above-referenced matters.
2. I make this Affidavit in support of the attached Motions to Dismiss.
3. On August 14, 2006, I was arraigned on a superseding indictment in the above-referenced criminal matter. I was acquitted of all charges after trial on March 7, 2007.
4. In my testimony during the criminal trial, I acknowledged my responsibility as a shareholder and officer of Stafford to return any money Stafford received from the improper billing of QLIMG by Stafford, based upon the deception of a Stafford employee, Denise Lamonica. Contrary to QLIMG's assertions, I have not "admitted that [I] fraudulently obtained money from QLIMG through [my] corporations." QLIMG Memorandum of Law, October 12, 2007, Paragraph 11. I did not personally guarantee the return of \$590,000 that I did not personally receive, nor did I offer to repay QLIMG approximately \$476,654.24 of my personal money unrelated to payments from QLIMG to Stafford.
5. Between July 21 and July 28, 2006, the Department of Justice executed a seizure warrant on my Chase personal checking account, Account Number 124-334555, and savings

account, Account Number 124-342221. On that date, the checking account contained \$30,568.49 and the savings account contained \$446,085.75. The balances and the seizure are reflected on my July 14 - August 10, 2006 Chase bank statement, attached hereto as **Exhibit "A"**. Since that date, I have even been denied access to the minor remaining balance in my accounts.

6. The government, in its interpleader action dated August 29, 2007, is completely inaccurate in stating in paragraph 4(a)(3) of its complaint that the \$446,086.75 was seized from an account in the name of Stafford Personnel Group Inc. d/b/a Traditional Personnel Services at JP Morgan Chase. This money was seized from my personal accounts and represents my savings, accumulated over the past 25 years.

7. In response to QLIMG's statement that the alleged fraud against QLIMG occurred between May 2003 and February 2006 and that I have "failed to provide any documentation of savings prior to May 2003," I enclose my personal Chase bank statements from December 12, 2002 through April 10, 2003, with a beginning balance of \$351,234.07 and an ending balance of \$362,889.60, as **Exhibit "B"**. This further proves that approximately three-quarters of the money seized by the government had no relationship whatsoever to the fraud alleged.

7. The government's assertion in paragraph 4(a)(7) of its complaint, that my checking account ending in 4555 contained \$29,978.49, is incorrect. That account actually contained \$30,568.49.

8. The government is further mistaken in stating in paragraph 4(a)(8) that the balance in my personal savings account ending in 2221 was \$1.00. That balance was, in fact, \$446,085.75.

9. On the same date that the Department of Justice executed a seizure warrant on my personal accounts, it also executed a seizure warrant on the business accounts of Stafford

Case 2:07-cv-07694-GEL Document 13 Filed 02/05/2008 Page 10 of 39  
Personnel Group, Inc. and Traditional Personnel Services. The government's confusion about the balances in these accounts may have resulted in their misstating the balances in my personal accounts.

10. On July 31, 2007, Queens Long Island Medical Group filed a civil action against me, Curtis Gatz, Denise LaMonica, etc. in New York State Supreme Court in Manhattan, seeking a money judgment of \$600,000.

11. At no point in Plaintiff's papers in that action does it indicate that it is seeking the funds in the Court's possession; merely a judgment in the amount of \$600,000. Despite the similar denominations, their claim is against me, not against the money in the Court's possession.

12. In QLIMG's October 12, 2007 Memorandum of Law opposing my motion to reconsider, it states that "the property seized by the Government in this criminal action *represents* the monies wrongly taken by these three individuals from QLIMG." Paragraph 7, emphasis added. Of the \$590,000 seized, approximately \$476,654.24 was mine. I never received anything close to \$476,654.24 from QLIMG or Stafford.

13. In fact, the government claimed I received \$111,380.94 from QLIMG via Stafford, and I would be willing to allow that amount to remain with the Court pending the outcome of my state court litigation with QLIMG.

14. I continue to vigorously defend the action filed against me by QLIMG, and I believe that I have a meritorious defense to the complaint which will ultimately prevail. However, should the Plaintiff succeed in securing a judgment against me at the conclusion of the matter, my assets in New York State are substantial and will remain so.

12. My house, located at 74 Ramble Road in Richmond County, is valued in excess of one million dollars, with a current mortgage balance of approximately \$160,000. As the Plaintiff

Case 2:07-cv-07694-GEL Document 13 Filed 02/05/2008 Page 11 of 39  
is seeking a judgment of \$600,000 against me and my co-defendants—none of whom are without assets, the equity in my house alone would be enough to satisfy the judgment. **Exhibit “C”**, attached, is a printout of the market value history report from the New York City Department of Finance. I would note that the New York City government valuations are routinely significantly lower than the actual market value of the property in question. Even if the New York City government valuation was accurate, however, the house would have nearly enough equity by itself to satisfy a potential judgment.

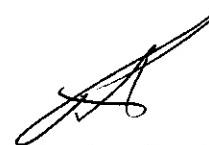
13. In addition, I own a business, National Safeway Alert Systems, Inc. d/b/a Safeway Security Systems, with 2007 accounts receivable exceeding \$1.2 million and 3,000 monthly recurring security and alarm contracts. The business is currently valued at between five and ten million dollars, and is located in Kings County.

14. The government has failed to establish any legal basis to hold my personal funds. As the bulk of my liquid assets are now in the Court’s possession, and as I need access to those funds in order to pursue my defense in the New York State Supreme Court matter, I am requesting that the Court release the funds previously contained in my Chase personal checking and savings accounts.

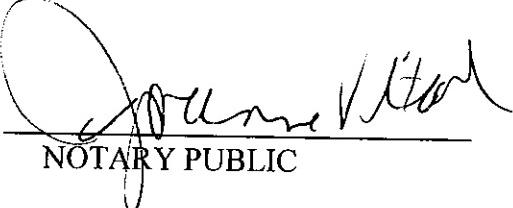
15. In order to do so, I am respectfully requesting that the Court dismiss the interpleader action brought by the government as improper and to return all funds seized by the government to me or, in the alternative, to return all funds seized except \$111,380.94 until the resolution of the state civil litigation with QLIMG.

WHEREFORE, it is respectfully requested that my motion for the above-requested relief be granted, and for such other, further and different relief as the Court deems just and proper.

Dated: New York, New York

  
PETER CASTELLANETA

Sworn to before me this 5<sup>th</sup>  
day of February, 2008

  
NOTARY PUBLIC

JOANNE VITALE  
Notary Public, State of New York  
No. 01VI6148813  
Qualified in Richmond County  
Commission Expires 06/26/20

# EXHIBIT A

124-00783-B008-00783- -002-1-01-0000-0000- -IV  
 00001323 RETAIL Z2 06224 - RETAIL NE B008 NNNNNN  
**PETER CASTELLANETA**  
**74 RAMBLE RD.**  
**STATEN ISLAND** NY 10308-3528

July 14 - August 10, 2006  
 Page 1 of 4

## Select Banking<sup>SM</sup> Statement

Select Banking Customer Service<sup>SM</sup>  
 1-800-832-2088

Automated account information 24/7  
 Live assistance 7am - 9pm local time  
 Hearing impaired call 1-800-CHASETD  
 Access Accounts, Pay Bills, Transfer Money  
 Fast, Easy, Free with Chase Online<sup>SM</sup>  
[www.chase.com/bank](http://www.chase.com/bank)

Primary Account Number: 124-334555  
 Number of Checks Paid: 1

## OVERVIEW

### Deposit Accounts - JP Morgan Chase Bank, N.A. ("Bank")

Checking and Savings	Account Number	Opening Balance	Ending Balance
Select Checking W/Interest	124-334555	\$ 30,568.49	\$ 600.63
Select High Yield Savings	124-342221	\$ 446,080.75	\$ 588.98
<b>Total</b>		<i>This -</i> <b>\$ 476,654.24</b>	<i>(This)</i> <b>\$ 1,189.58</b>

### Retirement Holdings - Bank Deposit Accounts

The products listed on this portion of the statement represent a summary of your assets that are retirement deposit accounts that are held through the Bank.

SSN # XXX-XX-0043	Account Number	Current Value
Traditional IRA Money Market Account	783-6003511-19	\$ 781.95
Interest earned for 28 day(s): \$ 1.17; Annual Percentage Yield Earned: 2.10%		
<b>Total</b>		<i>(This)</i> <b>\$ 733.95</b>

THIS ENDS YOUR STATEMENT OVERVIEW

### Important Select Information

Good News! Your combined monthly balance for this statement cycle totaled \$ 238,900.32. During the next statement cycle, you'll earn the applicable Select Premium Rate(s) offered on balances in the Select Checking with Interest, High Yield Savings and Money Market Accounts. Rates vary by product and may change at Chase's discretion.

### Select Checking W/Interest

Account #: 124-334555

**PETER CASTELLANETA**

Summary

Opening Balance	\$ 30,568.49
Deposits and Credits	\$ 632.63
Checks, Withdrawals and Debits	\$ 30,600.49
<b>Ending Balance</b>	<i>(This)</i> <b>\$ 600.63</b>

Average Balance	\$ 15,102.11
Interest Earned for 28 Day(s)	\$ 17.71
Annual Percentage Yield Earned	1.50
Interest Credited in 2006	\$ 318
Interest Rate(s):	07/14 to 08/10 at 1.49

You will receive detailed statements when applicable for Retirement, Credit, and Securities accounts.

124-00783-B008-00783- -002-1-03-0013-0000- -CN  
00006125 RETI Z2 06257 - RETAIL NE 8008 NNNNNN

PETER CASTELLANETA  
74 RAMBLE RD.  
STATEN ISLAND

NY 10308-3528

XXXXXXXXXXXXXXXXXXXXXX

August 11 - September 13, 2006  
Page 1 of 3

## Select Banking® Statement

Select Banking Customer Service<sup>SM</sup>  
1-800-832-2088

Automated account information 24/7  
Live assistance 7am - 9pm local time  
Hearing impaired call 1-800-CHASETD  
Access Accounts, Pay Bills, Transfer Money  
Fast, Easy, Free with Chase Online<sup>SM</sup>  
[www.chase.com/bank](http://www.chase.com/bank)

Primary Account Number: 124-334555  
Number of Checks Enclosed: 0

As of October 1, 2006, 339 branches of The Bank of New York will become branches of JPMorgan Chase Bank, N.A. While you can use ATMs with The Bank of New York logo as of October 1 with no fee, the new branches won't be available to you for banking until they convert to our systems next spring and their signs change to Chase.

While it is always our intent to process your checks and other items as quickly as possible, we want you to be aware that in most cases, we will treat checks with The Bank of New York logo as those from a separate bank for purposes of funds availability and cashing checks, until spring 2007. Until that time:

- If you deposit a check with The Bank of New York logo, that check will be considered either a local or nonlocal check and funds will be made available to you based on your Funds Availability Policy.
- If checks that you write are presented for payment to a branch with The Bank of New York logo, that branch may treat your check as though it was written on another bank and may not be able to cash it.

## OVERVIEW

### Deposit Accounts - JPMorgan Chase Bank, N.A. ("Bank")

Checking and Savings	Account Number	Opening Balance	Ending Balance
Select Checking W/Interest	124-334555	\$ 600.63	\$ 600
Select High Yield Savings	124-342221	\$ 508.95	\$ 508.95
<b>Total</b>		<b>\$ 1,189.58</b>	<b>\$ 1,101.78</b>

### Retirement Holdings - Bank Deposit Accounts

The products listed on this portion of the statement represent a summary of your assets that are retirement deposit accounts that are held through the Bank.

SSN # XXX-XX-0043	Account Number	Current Val.
Traditional IRA Money Market Account	783-6003511-19	\$ 735
Interest earned for 34 day(s): \$ 1.42; Annual Percentage Yield Earned: 2.10%		
<b>Total</b>		<b>\$ 735.00</b>

**THIS ENDS YOUR STATEMENT OVERVIEW**

July 14 - August 10, 2006  
Page 2 of 4

124-00783-B008-00783-

-002-1-01-0000-0000- -IY

Primary Account Number: 124-334555

**Select Checking W/Interest**

(continued)

Account # 124-334555

PETER CASTELLANETA

**Deposits and Credits**

Date	Description	Amount
08/08	Seamensc Fcdd 080806	\$ 615.31
08/10	Interest Credit	\$ 17.11
		<b>Total</b>
		<b>\$ 632.83</b>

**Withdrawals and Debits**

Date	Description	Amount
07/27	Insufficient Funds Service Fee	\$ 32.00
07/28	Debit Memorandum Ref: Levy	\$ 29,978.49
		<b>Total</b>
		<b>\$ 30,010.49</b>

**Checks Paid**

Check	Date Paid	Amount		
1156	07/17	\$ 590.00		

\* indicates gap in check sequence

Total (1 check)

\$ 590.00

**Daily Balances**

Date	Balance	Date	Balance	Date	Balance	Date	Balance
07/17	\$ 29,978.49	07/28	\$ 32.00 -	08/10	\$ 600.63		
07/27	\$ 29,946.49	08/08	\$ 583.35				

**Select High Yield Savings**

Account # 124-342223

PETER CASTELLANETA

Summary	Opening Balance	\$ 446,085.75	Average Balance	\$ 223,064
	Deposits and Credits	\$ 588.98	Interest Earned for 18 Day(s)	\$ 588
	Checks, Withdrawals and Debits	\$ 446,085.78	Annual Percentage Yield Earned	3.50
	Ending Balance	\$ 588.95	Interest Credited in 2006	\$ 9,095

Interest Rate(s): 07/14 to 08/10 at 3.44%

**Deposits and Credits**

Date	Description	Amount
07/31	Credit Memorandum Ref: Misc Credit	\$ 0
08/10	Interest Credit	\$ 588.95
		<b>Total</b>
		<b>\$ 588.95</b>

**Withdrawals and Debits**

Date	Description	Amount
07/28	Debit Memorandum Ref: Seizure	\$ 446,085.78
		<b>Total</b>
		<b>\$ 446,085.78</b>

**Daily Balances**

Date	Balance	Date	Balance	Date	Balance
07/28	\$ 0.03 -	07/31	\$ 0.00	08/10	\$ 588.95



Case 2:07-cv-07694-GEL

Document 13

Filed 02/05/2008 Page 17 of 39

August 11 - September 13, 2006  
Page 2 of 3

124-00783-B008-00783- -002-1-03-0013-0000- -CN

Primary Account Number: 124-334555

**Select Checking W/Interest**

Account # 124-334555

PETER CASTELLANETA

Summary	<b>Opening Balance</b>	\$ 600.63
	<b>Deposits and Credits</b>	\$ 0.34
	<b>Checks, Withdrawals and Debits</b>	\$ 0.00
	<b>Ending Balance</b>	\$ 600.97

Average Balance	\$ 601.00
Interest Earned for 34 Day(s)	\$ 0.34
Annual Percentage Yield Earned	0.61%
Interest Credited in 2006	\$ 319.08
Interest Rate(s):	08/11 to 09/13 at 0.60%

**Deposits and Credits**

Date	Description	Amount
09/13	Interest Credit	\$ 0.34
	<b>Total</b>	<b>\$ 0.34</b>

**Daily Balances**

Date	Balance	Date	Balance	Date	Balance	Date	Balance
09/13	\$ 600.97						

**Select High-Yield Savings**

Account # 124-342221

PETER CASTELLANO

Summary	<b>Opening Balance</b>	\$ 588.95
	<b>Deposits and Credits</b>	\$ 1.84
	<b>Checks, Withdrawals and Debits</b>	\$ 0.00
	<b>Ending Balance</b>	\$ 590.79

Average Balance	\$ 589.00
Interest Earned for 34 Day(s)	\$ 1.84
Annual Percentage Yield Earned	3.41%
Interest Credited in 2006	\$ 9,097.00
Interest Rate(s):	08/11 to 09/13 at 3.34%

**Deposits and Credits**

Date	Description	Amount
09/13	Interest Credit	\$ 1.84
	<b>Total</b>	<b>\$ 1.84</b>

**Daily Balances**

Date	Balance	Date	Balance	Date	Balance	Date	Balance
09/13	\$ 590.79						

**Monthly Fee**

A \$30.00 fee for this statement period will be deducted from your account and will appear on your next statement. Please update your records. Your combined average balance was \$1,924.70. With a combined average deposit balance of \$25,000 or a total of \$50,000 in your combined average deposit balances plus the current balance of linked qualified Loan(s) and qualified non-FDIC insured investments you can avoid most monthly fees.

**THIS ENDS YOUR STATEMENT FINANCIAL DATA**

You will receive detailed statements when applicable for Retirement, Credit, and Securities accounts.

# EXHIBIT B

124-00783-B008-02384- -002-1-01-0000-0000- -SY

PETER CASTELLANO  
 74 RAMBLE RD.  
 STATEN ISLAND NY 10308-3528

XXXXXXXXXXXXXXXXXXXXXX

December 12 - January 13, 2003  
 Page 1 of 5

## Select Banking® Statement

Select Banking Customer Service™  
 1-800-832-2088  
 Automated account information 24/7  
 Personal assistance 6 a.m. - midnight ET  
 Hearing impaired call 1-800-CHASETD  
 Primary Account Number: 124-334555  
 Number of Checks Enclosed: 12

### Important Notice

If we currently enclose checks with your statement, you will begin receiving check images in April. Most of our customers already enjoy the many advantages of check imaging. Please see the last page of this statement for more information about this change.

### OVERVIEW

#### Deposit Accounts - JPMorgan Chase Bank ("Bank")

Checking and Savings	Account Number	Opening Balance	Ending Balance
Select Checking W/Interest	124-334555	\$ 11,953.19	\$ 17,030.66
Select High Yield Savings	124-342221	\$ 339,280.88	\$ 339,753.59
<b>Total</b>		<b>\$ 351,234.07</b>	<b>\$ 356,784.25</b>

#### Retirement Holdings - Bank Deposit Accounts

The products listed on this portion of the statement represent a summary of your assets that are retirement deposit accounts that are held through the Bank.

SSN # XXX-XX-0043	Account Number	Current Value
Traditional IRA Money Market Account	783-6003511-19	\$ 698.51
Interest earned for 33 day(s): \$ 0.95; Annual Percentage Yield Earned: 1.52%		
<b>Total</b>		<b>\$ 698.51</b>

THIS ENDS YOUR STATEMENT OVERVIEW

#### Important Select Information

This statement period your combined average balance(s) totaled \$ 354,225.72. You will earn the Select Premium Rates offered on all balances in Select Checking with Interest, High Yield Savings and Money Market Accounts during the next statement period because your combined average deposit balance exceeded \$50,000. Rates may vary by product.

Select Checking W/Interest	Account # 124-334555	Peter Castellano	
Summary			
Opening Balance	\$ 11,953.19	Average Balance	\$ 14,232.36
Deposits and Credits	\$ 12,004.43	Interest Earned for 33 Day(s)	\$ 5.08
Checks, Withdrawals and Debits	\$ 6,926.96	Annual Percentage Yield Earned	0.40%
Ending Balance	\$ 17,030.66	Interest Credited in 2003	\$ 5.08
		Interest Rate(s):	12/12 to 01/13 at 0.40%

You will receive detailed statements when applicable for Retirement, Credit, and Securities accounts.

00603

December 12 - January 13, 2003  
**Page 2 of 5**

124-00783-B008-02384-

-002-1-01-0000-0000- -SY

Primary Account Number: 124-334555

**Select Checking W/Interest**

(continued)

Account # 124-334555

**Peter Castellano**

Another advantage of Select Banking... You have earned the Select Premium Rate.

**Deposits and Credits**

Date	Description	Amount
12/12	Deposit	\$ 3,727.56
12/12	Deposit	\$ 1,931.17
12/20	Deposit	\$ 681.89
12/31	Deposit	\$ 1,931.17
01/09	Deposit	\$ 3,727.56
01/13	Interest Credit	\$ 5.08
	<b>Total</b>	<b>\$ 12,004.43</b>

**Withdrawals and Debits**

Date	Description	Amount
12/16	Returned Item Charged Back	\$ 681.89
12/16	Returned Deposited Item Fee	\$ 10.00
12/19	Returned Item Charged Back	\$ 1,931.17
12/19	Returned Deposited Item Fee	\$ 10.00
	<b>Total</b>	<b>\$ 2,633.06</b>

**Checks Paid**

Check	Date Paid	Amount	Check	Date Paid	Amount	Check	Date Paid	Amount
780	12/17	\$ 2,304.02	784	12/20	\$ 102.87	788	12/23	\$ 801.73
781	12/13	\$ 172.00	785	12/23	\$ 92.14	790*	01/10	\$ 172.00
782	12/16	\$ 157.00	786	12/20	\$ 124.60	791	01/13	\$ 157.00
783	12/16	\$ 67.20	787	12/19	\$ 35.00	792	01/13	\$ 108.34
<b>Total (12 checks)</b>								<b>\$ 4,293.90</b>

\* indicates gap in check sequence

**Daily Balances**

Date	Balance	Date	Balance	Date	Balance	Date	Balance
12/12	\$ 17,611.92	12/17	\$ 14,219.81	12/23	\$ 11,804.19	01/10	\$ 17,290.92
12/13	\$ 17,439.92	12/19	\$ 12,243.64	12/31	\$ 13,735.36	01/13	\$ 17,030.66
12/16	\$ 16,523.83	12/20	\$ 12,698.06	01/09	\$ 17,462.92		

**Select High Yield Savings**

Account # 124-342221

**Peter Castellano**

Summary	Opening Balance	\$ 339,280.88	Average Balance	\$ 339,295.33
	Deposits and Credits	\$ 472.71	Interest Earned for 33 Day(s)	\$ 472.71
	Checks, Withdrawals and Debits	\$ 0.00	Annual Percentage Yield Earned	1.55%
	Ending Balance	\$ 339,753.59	Interest Credited in 2003	\$ 472.71
			Interest Rate(s):	12/12 to 01/13 at 1.54%

Another advantage of Select Banking... You have earned the Select Premium Rate.

00304

December 12 - January 13, 2003  
**Page 3 of 5**

124-00783-B008-02384-

-002-1-01-0000-0000- -SY

Primary Account Number: 124-334555

**Select High Yield Savings**

(continued)

Account # 124-342221

Peter Castellan

**Deposits and Credits**

Date	Description	Amount
01/13	Interest Credit	\$ 472.71
	<b>Total</b>	<b>\$ 472.71</b>

**Daily Balances**

Date	Balance	Date	Balance	Date	Balance	Date	Balance
01/13	\$ 339,753.59						

**THIS ENDS YOUR STATEMENT FINANCIAL DATA**

Personal accounts are subject to the Deposit Accounts Agreement and Disclosures. Business Accounts are subject to the Terms and Conditions for Business Accounts and Services. Please note the rules regarding the time within which you must notify JPMorgan Chase Bank (the "Bank") of any error or discrepancies. Call us at the phone number printed on the front of this statement, or write to us at: P.O. Box 5208, New Hyde Park, NY 11042.

WorldWide Consumer Bank customers, please write to us at WCB/IPB, P.O. Box 79779, Houston, TX 77224-9779.

Accounts held at the Bank, including checking, savings, CD, and money market accounts are FDIC insured to the extent permitted by law. Call us for full details and limitations of FDIC coverage.

**How to Balance Your Checkbook****Items Outstanding (checks and withdrawals not yet shown on your statement)**

Number or Date	Amount
TOTAL	

**1. Update your checkbook.**

- A. Record in your checkbook register all automatic transactions listed in your statement that you have not previously entered, including:

- + any interest earned
- + automatic deposits
- service charges
- automatic payments

- B. Enter in your checkbook register any other transactions listed in your statement that you did not record, including:

- + deposits
- checks paid
- ATM withdrawals
- phone transfers and payments

**2. Adjust your statement balance.**

- A. ENTER your checking account closing balance shown on the front of this statement.


- B. ADD any deposits not yet shown on your statement.

+	

- C. TOTAL (A and B above).


- D. SUBTRACT total items outstanding (from chart at left).

—	

- E. BALANCE (should equal your checkbook balance).


If you have any questions about your accounts, call the customer service number on the front of your statement.

00605

December 12 - January 13, 2003  
Page 4 of 5

124-00783-B008-02384- -002-1-01-0000-0000- -SY

Primary Account Number: 124-334555

**Chase Online<sup>SM</sup> - Banking at your fingertips, 24/7**

Peter Castellano

With Chase Online paying bills is easy, convenient, and best of all it's FREE!

- No checks, stamps or envelopes needed
- Pay almost anyone from the cable company to your landlord
- Control when payments are made - you set the schedule
- Set up automatic payments for bills like your mortgage and never miss a due date

Get started today! Log on, sign up or view a demo at [www.chase.com/go](http://www.chase.com/go).

**If managing your expenses is a New Years resolution, Chase can help**

Peter Castellano

By using your Chase Banking Card with the MasterCard(R) logo you pay as you go. All of your purchases are deducted from your Chase checking account. Plus, you'll have a record of all your purchases!

Your Chase Banking Card also provides the SECURITY and CONVENIENCE that you expect. Just present your Card to the merchant, sign your receipt and go. Your Card comes with Zero Liability - protecting you from liability for purchases made by unauthorized individuals. Certain restrictions apply, please call the ServiceLine(SM) phone number on the front of this statement for more information.

00606

January 14 - February 12, 2003

Page 1 of 5

124-00783-B008-02384- -002-1-01-0000-0000- -SY

PETER CASTELLANO  
 74 RAMBLE RD.  
 STATEN ISLAND NY 10308-3528

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

## Select Banking® Statement

Select Banking Customer Service™

1-800-832-2088

Automated account information 24/7

Personal assistance 6 a.m. - midnight ET

Hearing impaired call 1-800-CHASETD

Primary Account Number: 124-334555

Number of Checks Enclosed: 10

### OVERVIEW

#### Deposit Accounts - JPMorgan Chase Bank ("Bank")

Checking and Savings	Account Number	Opening Balance	Ending Balance
Select Checking W/Interest	124-334555	\$ 17,030.66	\$ 18,746.31
Select High Yield Savings	124-342221	\$ 339,753.59	\$ 340,183.90
<b>Total</b>		<b>\$ 356,784.25</b>	<b>\$ 358,930.21</b>

#### Retirement Holdings - Bank Deposit Accounts

The products listed on this portion of the statement represent a summary of your assets that are retirement deposit accounts that are held through the Bank.

SSN # XXX-XX-0043	Account Number	Current Value
Traditional IRA Money Market Account	783-6003511-19	\$ 699.36
Interest earned for 30 day(s): \$ 0.85; Annual Percentage Yield Earned: 1.49%		
<b>Total</b>		<b>\$ 699.36</b>

**THIS ENDS YOUR STATEMENT OVERVIEW**

#### Important Select Information

This statement period your combined average balance(s) totaled \$ 355,549.12.

You will earn the Select Premium Rates offered on all balances in Select Checking with Interest, High Yield Savings and Money Market Accounts during the next statement period because your combined average deposit balance exceeded \$50,000. Rates may vary by product.

Select Checking W/Interest	Account # 124-334555	Peter Castellano
Summary		
Opening Balance	\$ 17,030.66	Average Balance \$ 15,081.86
Deposits and Credits	\$ 8,289.60	Interest Earned for 30 Day(s) \$ 4.95
Checks, Withdrawals and Debits	\$ 6,553.95	Annual Percentage Yield Earned 0.40%
<b>Ending Balance</b>	<b>\$ 18,746.31</b>	Interest Credited in 2003 \$ 10.03
		Interest Rate(s): 01/14 to 02/12 at 0.40%

Another advantage of Select Banking... You have earned the Select Premium Rate.

#### Deposits and Credits

Date	Description	Amount
02/07	Deposit	\$ 4,850.00
02/07	Deposit	\$ 3,414.65

You will receive detailed statements when applicable for Retirement, Credit, and Securities accounts.

00608

January 14 - February 12, 2003  
**Page 2 of 5**

124-00783-B008-02384- -002-1-01-0000-0000- -SY

Primary Account Number: 124-334555

**Select Checking W/Interest** Peter Castellano  
 (continued)

**Deposits and Credits**

Date	Description	Amount
02/12	Interest Credit	\$ 4.95
		<b>Total</b> \$ 8,269.60

**Checks Paid**

Check	Date Paid	Amount	Check	Date Paid	Amount	Check	Date Paid	Amount
789	01/14	\$ 2,304.02	796	01/16	\$ 17.97	801	02/10	\$ 103.36
793	01/15	\$ 92.14	797	02/04	\$ 3,500.00	803	02/12	\$ 70.86
794	01/21	\$ 124.60	799	02/10	\$ 172.00			
795	01/28	\$ 12.00	800	02/11	\$ 157.00			

\* indicates gap in check sequence Total (10 checks) \$ 6,553.95

**Daily Balances**

Date	Balance	Date	Balance	Date	Balance	Date	Balance
01/14	\$ 14,726.64	01/21	\$ 14,491.93	02/07	\$ 19,244.58	02/12	\$ 18,746.31
01/15	\$ 14,634.50	01/28	\$ 14,479.93	02/10	\$ 18,969.22		
01/16	\$ 14,616.53	02/04	\$ 10,979.93	02/11	\$ 18,812.22		

**Select High-Yield Savings** Peter Castellano

Summary	Opening Balance	\$ 339,753.59	Average Balance	\$ 339,768.33
	Deposits and Credits	\$ 430.31	Interest Earned for 30 Day(s)	\$ 430.31
	Checks, Withdrawals and Debits	\$ 0.00	Annual Percentage Yield Earned	1.55%
	Ending Balance	\$ 340,183.90	Interest Credited in 2003	\$ 903.02

Interest Rate(s): 01/14 to 02/12 at 1.54%

Another advantage of Select Banking... You have earned the Select Premium Rate.

**Deposits and Credits**

Date	Description	Amount
02/12	Interest Credit	\$ 430.31
		<b>Total</b> \$ 430.31

**Daily Balances**

Date	Balance	Date	Balance	Date	Balance	Date	Balance
02/12	\$ 340,183.90						

**THIS ENDS YOUR STATEMENT FINANCIAL DATA**

00609

January 14 - February 12, 2003  
Page 3 of 5

124-00783-B008-02384- -002-1-01-0000-0000- -SY

Primary Account Number: 124-334555

Personal accounts are subject to the Deposit Accounts Agreement and Disclosures. Business Accounts are subject to the Terms and Conditions for Business Accounts and Services. Please note the rules regarding the time within which you must notify JPMorgan Chase Bank (the "Bank") of any error or discrepancies. Call us at the phone number printed on the front of this statement, or write to us at: P.O. Box 5206, New Hyde Park, NY 11042.  
In Texas, write to us at: JPMorgan Chase Bank, P.O. Box 1231, Houston, Texas 77251-1231.

**WorldWide Consumer Bank customers, please write to us at WCB/IPB, P.O. Box 79779, Houston, TX 77224-9779.**

Accounts held at the Bank, including checking, savings, CD, and money market accounts are FDIC insured. Call us for full details and limitations of FDIC coverage.



## **How to Balance Your Checkbook**

**Items Outstanding (checks and withdrawals not yet shown on your statement)**

- 1. Update your checkbook.**

A. Record in your checkbook register all automatic transactions listed in your statement that you have not previously entered, including:

  - + any interest earned
  - + automatic deposits
  - service charges
  - automatic payments

B. Enter in your checkbook register any other transactions listed in your statement that you did not record, including:

  - + deposits
  - checks paid
  - ATM withdrawals
  - phone transfers and payments

**2. Adjust your statement balance.**

A. ENTER your checking account closing balance shown on the front of this statement.

B. ADD any deposits not yet shown on your statement.

C. TOTAL (A and B above).

D. SUBTRACT total items outstanding (from chart at left).

E. BALANCE (should equal your checkbook balance).

+   
—

If you have any questions about your accounts, call the customer service number on the front of your statement.

**IN CASE OF ERRORS OR QUESTIONS ABOUT YOUR ELECTRONIC TRANSFERS**

Please telephone us at 935-9935\* or write to us at Automated Equipment Support Services, USA, Box 1200, Hicksville, NY 11801. In Texas, telephone us at 1-800-235-8522 (in Houston (713) 216-7000) or write us at JPMorgan Chase Bank, P.O. Box 1231, Houston, Texas 77251-1231. All written requests should be addressed to: ATM, Online Banking, or Electronic Funds Transfer Department, as applicable. Contact JPMorgan Chase Bank as soon as you can if you think your statement or receipt is wrong or if you need more information about a transfer on the statement or receipt. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared. (1) Tell us your name and account number (if any). (2) Describe the error or the transfer you are unsure about. Clearly explain why you believe there is an error or why you need more information. (3) Tell us the dollar amount of the suspected error. We will investigate your complaint and will correct any error promptly. If we take more than 10 business days to do this, we will recredit your account for the amount you think is in error, so that you will have use of the money during the time it takes to complete our investigation.

\*Available from the 212, 516, 716, 718, and 914 area codes. Outside these areas, call 1-800-935-9935 or (713) 216-7000 within Houston, TX. Hearing impaired customers with TDD equipment can call 1-800-CHASETD.

00610

January 14 - February 12, 2003  
Page 4 of 5

124-00783-B008-02384- -002-1-01-0000-0000- -SY

Primary Account Number: 124-334555

**Don't Wait, Do Your Taxes Online Now!**

Peter Castellano

Prepare and file your taxes electronically and get your refund fast. It's easy, fast and reliable with Turbo Tax(R) for the Web service.

Visit [chase.com/tax](http://chase.com/tax) to see how you can save 15% off your purchase. Turbo Tax is a registered trademark and Turbo Tax for the Web is a servicemark of Intuit Inc.

**UPGRADE TO A MORE REWARDING WAY TO PAY!**

Peter Castellano

Choose the Card that fits your lifestyle. Upgrade to the Chase/Continental Airlines BankingCard and earn one (1) Continental Airlines OnePass(R) Mile for every two dollars (\$2) spent. Upgrade to the Chase Banking Card with Leisure Rewards(SM) and earn one (1) Leisure Rewards point for every one dollar (\$1) spent. Redeem your points for valuable rewards like movie tickets, spa certificates, cooking classes and more. Upgrade by March 31, 2003 and receive 1,000 Bonus Miles or Points. You make the choice!

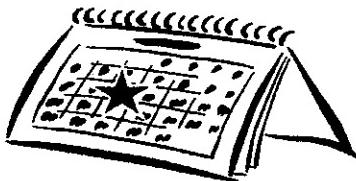
To upgrade, call the ServiceLine(SM) phone number on the front of this statement or visit us at [www.chase.com/debitcard](http://www.chase.com/debitcard). A \$30 annual fee applies to both cards.

00611

January 14 - February 12, 2003  
Page 5 of 5

124-00783-B008-02384- -002-1-01-0000-0000- -SY

Primary Account Number: 124-334555



## Turn April 15<sup>th</sup> into a day worth celebrating.

**Discover a wealth of tax-smart solutions right here at Chase.**

Many of us don't think about taxes until it's time to pay them. But by then, it's usually too late to make changes that could significantly reduce your tax liabilities.

That's why we are urging customers to make some tax-smart choices RIGHT NOW – so you can spend the rest of this year shrinking your tax bill for 2003.

Select from a wide range of tax-advantaged solutions, including:

- Traditional (including Rollovers) and Roth IRAs
- Tax-Free Mutual Funds<sup>1</sup>
- Tax-Deferred<sup>2</sup> Annuities\* and FDIC-insured CDs
- 529 College Savings Plans\*
- Coverdell Education Savings Accounts
- Home Equity Loans and Lines of Credit

### The right relationship can make life less taxing.

Talk to a specialist to find out more information about tax-advantaged products available through Chase and its affiliates.\* We can bring you all the resources you need to help you make April 15<sup>th</sup> a day worth celebrating. So contact us today!

**Stop by your nearest branch or call 1-800-CHASE24 for more information.**

\* Securities (including mutual funds and variable life insurance) and investment advisory services are offered through Chase Investment Services Corporation (CISC). Annuities and insurance products are provided by various insurance companies and offered through Chase Insurance Agency, Inc. (CIA) and/or Chase Manhattan Insurance Agency, Inc. (CMIA), licensed insurance agencies. CISC, a member of NASD/SIPC, CIA and CMIA are affiliates of JPMorgan Chase Bank. Products not available in all states.

NOT A DEPOSIT	NOT FDIC INSURED	NOT INSURED BY ANY FEDERAL GOVERNMENT AGENCY	NOT GUARANTEED BY THE BANK	MAY GO DOWN IN VALUE
---------------	------------------	--	----------------------------	----------------------

1 Mutual Funds are offered by prospectus. Tax Free Funds may be subject to some state and/or local taxes and some investors may be subject to the Federal Alternative Minimum Tax (AMT).

2 Tax-deferred growth means the individual defers paying federal taxes on earnings until money is withdrawn.

3 Consult your tax advisor regarding the deductibility of interest for a home equity product.

Home Equity Loans/Lines are not available in all states. Home Equity Loans/Lines are offered through JPMorgan Chase Bank in New York, New Jersey, Connecticut and Texas (loans only) and in other geographic areas and Texas (loans only) through Chase Manhattan Bank USA, N.A. with headquarters in Newark, Delaware.

JPMorgan Chase Bank and its affiliates do not offer legal or accounting advice to their clients. However, they may, from time to time, discuss products and services which have tax implications, and, under specific agreements with clients or because of a fiduciary role, prepare certain tax returns. Clients are urged to consult with their own legal, accounting and tax advisors with respect to their specific situations.

© 2003 J.P. Morgan Chase & Co. All Rights Reserved. JPMorgan Chase Bank. Member FDIC.



00612

124-00783-B008-00783- -002-1-01-0000-0000- -SY  
 PETER CASTELLANO  
 74 RAMBLE RD.  
 STATEN ISLAND NY 10308-3528

124-00783-B008-00783- -002-1-01-0000-0000- -SY

February 13 - March 12, 2003  
 Page 1 of 5

## Select Banking® Statement

Select Banking Customer Service™

1-800-832-2088

Automated account information 24/7

Personal assistance 6 a.m. - midnight ET

Hearing impaired call 1-800-CHASETD

Primary Account Number: 124-334555

Number of Checks Enclosed: 8

### OVERVIEW

#### Deposit Accounts - JPMorgan Chase Bank ("Bank")

Checking and Savings	Account Number	Opening Balance	Ending Balance
Select Checking W/Interest	124-334555	\$ 18,746.31	\$ 20,503.25
Select High Yield Savings	124-342221	\$ 340,183.90	\$ 340,586.01
<b>Total</b>		<b>\$ 358,930.21</b>	<b>\$ 361,089.26</b>

#### Retirement Holdings - Bank Deposit Accounts

The products listed on this portion of the statement represent a summary of your assets that are retirement deposit accounts that are held through the Bank.

SSN # XXX-XX-0043	Account Number	Current Value
Traditional IRA Money Market Account	783-6003511-19	\$ 700.16
Interest earned for 28 day(s): \$ 0.80; Annual Percentage Yield Earned: 1.50%		
<b>Total</b>		<b>\$ 700.16</b>

THIS ENDS YOUR STATEMENT OVERVIEW

#### Important Select Information

This statement period your combined average balance(s) totaled \$ 357,147.24.

You will earn the Select Premium Rates offered on all balances in Select Checking with Interest, High Yield Savings and Money Market Accounts during the next statement period because your combined average deposit balance exceeded \$50,000. Rates may vary by product.

Select Checking W/Interest	Account #: 124-334555	Peter Castellano
Summary	Opening Balance	\$ 18,746.31
	Deposits and Credits	\$ 6,572.23
	Checks, Withdrawals and Debits	\$ 4,815.29
	<b>Ending Balance</b>	<b>\$ 20,503.25</b>
	Average Balance	\$ 16,249.10
	Interest Earned for 28 Day(s)	\$ 4.96
	Annual Percentage Yield Earned	0.40%
	Interest Credited in 2003	\$ 14.99
	Interest Rate(s):	02/13 to 03/12 at 0.40%

Another advantage of Select Banking... You have earned the Select Premium Rate.

#### Deposits and Credits

Date	Description	Amount
03/10	Deposit	\$ 3,732.76
03/10	Deposit	\$ 2,834.51

You will receive detailed statements when applicable for Retirement, Credit, and Securities accounts.

00613

February 13 - March 12, 2003  
Page 2 of 5

124-00783-B008-00783- -002-1-01-0000-0000- -SY

Primary Account Number: 124-334555

**Select Checking W/Interest  
(continued)**

Account # 124-334555

Peter Castellano

**Deposits and Credits**

Date	Description	Amount
03/12	Interest Credit	\$ 4.96
		<b>Total</b> \$ 6,572.23

**Checks Paid**

Check	Date Paid	Amount	Check	Date Paid	Amount	Check	Date Paid	Amount
798	02/13	\$ 2,304.02	805	02/21	\$ 330.00	809	03/10	\$ 157.00
802*	02/14	\$ 45.34	806	03/04	\$ 1,687.50	810	03/10	\$ 80.48
804*	02/18	\$ 38.95	808*	03/10	\$ 172.00			

\* indicates gap in check sequence

Total (8 checks) \$ 4,815.29

**Daily Balances**

Date	Balance	Date	Balance	Date	Balance	Date	Balance
02/13	\$ 16,442.29	02/18	\$ 16,358.00	03/04	\$ 14,340.50	03/12	\$ 20,503.25
02/14	\$ 16,396.95	02/21	\$ 16,028.00	03/10	\$ 20,498.29		

**Select High-Yield Savings**

Account # 124-342221

Peter Castellano

Summary	Opening Balance	\$ 340,183.90	Average Balance	\$ 340,198.39
	Deposits and Credits	\$ 402.11	Interest Earned for 28 Day(s)	\$ 402.11
	Checks, Withdrawals and Debits	\$ 0.00	Annual Percentage Yield Earned	1.55%
	Ending Balance	\$ 340,586.01	Interest Credited in 2003	\$ 1,305.13

Interest Rate(s): 02/13 to 03/12 at 1.54%

Another advantage of Select Banking... You have earned the Select Premium Rate.

**Deposits and Credits**

Date	Description	Amount
03/12	Interest Credit	\$ 402.11
		<b>Total</b> \$ 402.11

**Daily Balances**

Date	Balance	Date	Balance	Date	Balance	Date	Balance
03/12	\$ 340,586.01						

**THIS ENDS YOUR STATEMENT FINANCIAL DATA**

Personal accounts are subject to the Deposit Accounts Agreement and Disclosures. Business Accounts are subject to the Terms and Conditions for Business Accounts and Services. Please note the rules regarding the time within which you must notify JPMorgan Chase Bank (the "Bank") of any error or discrepancies. Call us at the phone number printed on the front of this statement, or write to us at: P.O. Box 5206, New Hyde Park, NY 11042. In Texas, write to us at: JPMorgan Chase Bank, P.O. Box 1231, Houston, Texas 77251-1231.

WorldWide Consumer Bank customers, please write to us at WCB/IPB, P.O. Box 79779, Houston, TX 77224-9779.

Accounts held at the Bank, including checking, savings, CD, and money market accounts are FDIC insured.  
Call us for full details and limitations of FDIC coverage.



00314

February 13 - March 12, 2003  
Page 3 of 5

124-00783-B008-00783- -002-1-01-0000-0000- -SY

**Primary Account Number:** 124-334555

## **How to Balance Your Checkbook**

**Items Outstanding (checks and withdrawals not yet shown on your statement)**

- 1. Update your checkbook.**

  - A. Record in your checkbook register all automatic transactions listed in your statement that you have not previously entered, including:
    - + any interest earned
    - + automatic deposits
    - service charges
    - automatic payments
  - B. Enter in your checkbook register any other transactions listed in your statement that you did not record, including:
    - + deposits
    - checks paid
    - ATM withdrawals
    - phone transfers and payments

**2. Adjust your statement balance.**

  - A. ENTER your checking account closing balance shown on the front of this statement.  
  

	+	
--	---	--
  - B. ADD any deposits not yet shown on your statement.  
  

	—	
--	---	--
  - C. TOTAL (A and B above).
  - D. SUBTRACT total items outstanding (from chart at left).  
  

	—	
--	---	--
  - E. BALANCE (should equal your checkbook balance).

If you have any questions about your accounts, call the customer service number on the front of your statement.

**IN CASE OF ERRORS OR QUESTIONS ABOUT YOUR ELECTRONIC TRANSFERS**

Please telephone us at 935-9935\* or write to us at Automated Equipment Support Services, USA, Box 1200, Hicksville, NY 11801. In Texas, telephone us at 1-800-235-8522 (in Houston (713) 216-7000) or write us at JPMorgan Chase Bank, P.O. Box 1231, Houston, Texas 77251-1231. All written requests should be addressed to: ATM, Online Banking, or Electronic Funds Transfer Department, as applicable. Contact JPMorgan Chase Bank as soon as you can if you think your statement or receipt is wrong or if you need more information about a transfer on the statement or receipt. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared. (1) Tell us your name and account number (if any). (2) Describe the error or the transfer you are unsure about. Clearly explain why you believe there is an error or why you need more information. (3) Tell us the dollar amount of the suspected error. We will investigate your complaint and will correct any error promptly. If we take more than 10 business days to do this, we will recredit your account for the amount you think is in error, so that you will have use of the money during the time it takes to complete our investigation.

**\*Available from the 212, 516, 716, 718, and 914 area codes. Outside these areas, call 1-800-935-9935 or (713) 216-7000 within Houston, TX. Hearing Impaired customers with TDD equipment can call 1-800-CHASE-TD.**

You Could Win 250,000 OnePass(R) miles - Everyday.

Peter Castellano

Just open a new Chase checking account and you'll be entered to win enough Continental OnePass(R) miles for you and a friend to go anywhere in the world Continental flies. There's a new winner every day for thirty days. Open an account at [chase.com/miles](http://chase.com/miles), 1-800-CHASE24 or by visiting a branch. Hurry. Offer ends March 25, 2003. For complete offer details visit [www.chase.com/miles](http://www.chase.com/miles)

00615

February 13 - March 12, 2003  
Page 4 of 5

124-00783-B008-00783- -002-1-01-0000-0000- -SY

Primary Account Number: 124-334555

**Pay Your Taxes with Your Chase Banking Card!**

**Peter Castellano**

Chase can make this season less taxing and more relaxing. You can use your Chase Banking Card, Chase/Continental Airlines Banking Card, or your Chase Banking Card with Leisure Rewards to pay your taxes. Payment can be made on the Internet or on the phone. All you have to do is choose one of these two authorized service providers - Official Payments Corp. at [www.officialpayments.com](http://www.officialpayments.com) 1-800-2PAY-TAX or Pay1040.com at [www.pay1040.com](http://www.pay1040.com) 1-888-PAY-1040.

Make life simpler and more rewarding- Pay your taxes with your Chase Banking Card.

February 13 - March 12, 2003  
**Page 5 of 5**

124-00783-B008-00783- -002-1-01-0000-0000- -SY

Primary Account Number: 124-334555

## IRAs for today's economy

Don't let current market conditions get in the way of your retirement plans. At Chase, we can help you start on your way to achieving the retirement lifestyle you want.

Our IRAs can balance FDIC-insured bank products with non-FDIC insured products\* from JPMorgan Investments, a division of Chase Investment Services Corp.:

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>-Mutual Funds</li> <li>-JPMorgan Funds</li> <li>-Stocks</li> <li>-Corporate bonds</li> </ul> | <ul style="list-style-type: none"> <li>-Municipal bonds</li> <li>-U.S. Treasury securities and government bonds</li> <li>-Unit investment trusts</li> </ul> |
|---|---|

Just ask our Retirement Experts<sup>†</sup> to help you build the portfolio that's right for you – and for today's economy.

### Maximize your IRA benefit

- You still have until April 15th to deposit up to \$3,000 in an IRA for the 2002 tax year. And if you were age 50 or older on December 31, 2002, you can add a "catch-up" contribution of \$500.
- The same contribution limits apply to your 2003 IRA, but you can start contributing right now. Our Systematic Contribution Plan makes it easy, and your money starts growing right away.



The key is to *start* investing and *keep* investing, with help from the Retirement Experts at Chase. Contact us today.

**Call 1-866-242-4IRA.  
 Visit [www.chase.com/retirement](http://www.chase.com/retirement).  
 Or stop by your nearest branch.**

---

\*Securities and investment advisory services are offered through JPMorgan Investments, a division of Chase Investment Services Corp. (CISC). CISC, a member of NASD/SIPC, is an affiliate of JPMorgan Chase Bank.

NOT FDIC INSURED	May Lose Value	No Bank Guarantee
------------------	----------------	-------------------

Mutual Funds are offered by prospectus.  
 The distributor of JPMorgan Funds is JPMorgan Fund Distributors, Inc.

<sup>†</sup>Chase Retirement Experts are also registered representatives of Chase Investment Services Corp.

00617

124-00783-B008-00783- -002-1-01-0000-0000- -SY  
**PETER CASTELLANO**  
 74 RAMBLE RD.  
 STATEN ISLAND NY 10308-3528

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

March 13 - April 10, 2003  
 Page 1 of 5

## Select Banking® Statement

Select Banking Customer Service™  
 1-800-832-2088

Automated account information 24/7  
 Personal assistance 6 a.m. - midnight ET  
 Hearing impaired call 1-800-CHASETD

Primary Account Number: 124-334555  
 Number of Checks Enclosed: 7

### Are you taking advantage of your Select Banking benefits?

Complimentary services make paying bills and making purchases easy and flexible:

- Free Select Banking Checks - Wallet-style Select Banking check orders are available at no charge. Or, if you prefer a special check design, choose from our wide selection of check styles and receive a \$15 discount on your order.
- Free Chase Online(SM) with Bill Pay - Log on and use Chase Online to conduct transactions anytime, anywhere at [www.chase.com](http://www.chase.com).
- Free Platinum Chase Banking Card - Use it as an ATM or debit card to get cash, make purchases and receive travel and purchase benefits.

If you'd like more details, stop by your branch or call us at 1-800-832-2088.

## OVERVIEW

### Deposit Accounts - JPMorgan Chase Bank ("Bank")

Checking and Savings	Account Number	Opening Balance	Ending Balance
Select Checking W/Interest	124-334555	\$ 20,503.25	\$ 21,927.72
Select High Yield Savings	124-342221	\$ 340,586.01	\$ 340,961.88
Total		\$ 361,089.26	\$ 362,889.60

### Retirement Holdings - Bank Deposit Accounts

The products listed on this portion of the statement represent a summary of your assets that are retirement deposit accounts that are held through the Bank.

SSN # XXX-XX-0043	Account Number	Current Value
Traditional IRA Money Market Account	783-6003511-19	\$ 700.91
Interest earned for 29 day(s): \$ 0.75; Annual Percentage Yield Earned: 1.36%		
Total		\$ 700.91

THIS ENDS YOUR STATEMENT OVERVIEW

### Important Select Information

This statement period your combined average balance(s) totaled \$ 358,598.02. You will earn the Select Premium Rates offered on all balances in Select Checking with Interest, High Yield Savings and Money Market Accounts during the next statement period because your combined average deposit balance exceeded \$50,000. Rates may vary by product.

You will receive detailed statements when applicable for Retirement, Credit, and Securities accounts.

00318

March 13 - April 10, 2003  
Page 2 of 5

124-00783-B008-00783-

-002-1-01-0000-0000- -SY

Primary Account Number: 124-334555

<b>Select Checking W/Interest</b>		<b>Account # 124-334555</b>	<b>Peter Castellano</b>
<b>Summary</b>	<b>Opening Balance</b>	<b>\$ 20,503.25</b>	<b>Average Balance</b>
	<b>Deposits and Credits</b>	<b>\$ 7,238.26</b>	<b>Interest Earned for 29 Day(s)</b>
	<b>Checks, Withdrawals and Debits</b>	<b>\$ 5,813.79</b>	<b>Annual Percentage Yield Earned</b>
	<b>Ending Balance</b>	<b>\$ 21,927.72</b>	<b>Interest Credited in 2003</b>
			<b>Interest Rate(s):</b> 03/13 to 04/10 at 0.40%

Another advantage of Select Banking... You have earned the Select Premium Rate.

**Deposits and Credits**

<i>Date</i>	<i>Description</i>	<i>Amount</i>
04/10	Deposit	\$ 6,549.57
04/10	Deposit	\$ 683.19
04/10	Interest Credit	\$ 5.50
<b>Total</b>		<b>\$ 7,238.26</b>

**Checks Paid**

<i>Check</i>	<i>Date Paid</i>	<i>Amount</i>	<i>Check</i>	<i>Date Paid</i>	<i>Amount</i>	<i>Check</i>	<i>Date Paid</i>	<i>Amount</i>
807	03/13	\$ 2,304.32	813	04/01	\$ 500.00	817	04/10	\$ 82.01
811*	03/31	\$ 1,817.67	815*	04/09	\$ 172.00			
812	04/01	\$ 780.79	816	04/10	\$ 157.00			

\* indicates gap in check sequence

**Total (7 checks)** \$ 5,813.79

**Daily Balances**

<i>Date</i>	<i>Balance</i>	<i>Date</i>	<i>Balance</i>	<i>Date</i>	<i>Balance</i>	<i>Date</i>	<i>Balance</i>
03/13	\$ 18,198.93	04/01	\$ 15,100.47	04/10	\$ 21,927.72		
03/31	\$ 16,381.26	04/09	\$ 14,928.47				

<b>Select High Yield Savings</b>		<b>Account # 124-342221</b>	<b>Peter Castellano</b>
<b>Summary</b>	<b>Opening Balance</b>	<b>\$ 340,586.01</b>	<b>Average Balance</b>
	<b>Deposits and Credits</b>	<b>\$ 375.87</b>	<b>Interest Earned for 29 Day(s)</b>
	<b>Checks, Withdrawals and Debits</b>	<b>\$ 0.00</b>	<b>Annual Percentage Yield Earned</b>
	<b>Ending Balance</b>	<b>\$ 340,961.88</b>	<b>Interest Credited in 2003</b>
			<b>Interest Rate(s):</b> 03/13 to 03/19 at 1.54% 03/20 to 04/10 at 1.34%

Another advantage of Select Banking... You have earned the Select Premium Rate.

**Deposits and Credits**

<i>Date</i>	<i>Description</i>	<i>Amount</i>
04/10	Interest Credit	\$ 375.87
<b>Total</b>		<b>\$ 375.87</b>

**Daily Balances**

<i>Date</i>	<i>Balance</i>	<i>Date</i>	<i>Balance</i>	<i>Date</i>	<i>Balance</i>
04/10	\$ 340,961.88				

00819

March 13 - April 10, 2003  
Page 3 of 5

124-00783-B008-00783- -002-1-01-0000-0000- -SY

Primary Account Number: 124-334555

**THIS ENDS YOUR STATEMENT. FINANCIAL DATA**

Personal accounts are subject to the Deposit Accounts Agreement and Disclosures. Business Accounts are subject to the Terms and Conditions for Business Accounts and Services. Please note the rules regarding the time within which you must notify JPMorgan Chase Bank (the "Bank") of any error or discrepancies. Call us at the phone number printed on the front of this statement, or write to us at: P.O. Box 5206, New Hyde Park, NY 11042.  
In Texas, write to us at: JPMorgan Chase Bank, P.O. Box 1231, Houston, Texas 77251-1231.

WorldWide Consumer Bank customers, please write to us at WCB/IPB, P.O. Box 79779, Houston, TX 77224-9779.

Accounts held at the Bank, including checking, savings, CD, and money market accounts are FDIC insured. Call us for full details and limitations of FDIC coverage.



## How to Balance Your Checkbook

**Items Outstanding (checks and withdrawals not yet shown on your statement)**

- 1. Update your checkbook.**

  - A. Record in your checkbook register all automatic transactions listed in your statement that you have not previously entered, including:
    - + any interest earned
    - + automatic deposits
    - service charges
    - automatic payments
  - B. Enter in your checkbook register any other transactions listed in your statement that you did not record, including:
    - + deposits
    - checks paid
    - ATM withdrawals
    - phone transfers and payments

**2. Adjust your statement balance.**

  - A. ENTER your checking account closing balance shown on the front of this statement.
  - B. ADD any deposits not yet shown on your statement.
  - C. TOTAL (A and B above).
  - D. SUBTRACT total items outstanding (from chart at left).
  - E. BALANCE (should equal your checkbook balance)

+		
+		
-		
-		

If you have any questions about your accounts, call the customer service number on the front of your statement.

**IN CASE OF ERRORS OR QUESTIONS ABOUT YOUR ELECTRONIC TRANSFERS**

Please telephone us at 935-9935\* or write to us at Automated Equipment Support Services, USA, Box 1200, Hicksville, NY 11801. In Texas, telephone us at 1-800-235-8522 (in Houston (713) 216-7000) or write us at JPMorgan Chase Bank, P.O. Box 1231, Houston, Texas 77251-1231. All written requests should be addressed to: ATM, Online Banking, or Electronic Funds Transfer Department, as applicable. Contact JPMorgan Chase Bank as soon as you can if you think your statement or receipt is wrong or if you need more information about a transfer on the statement or receipt. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared. (1) Tell us your name and account number (if any). (2) Describe the error or the transfer you are unsure about. Clearly explain why you believe there is an error or why you need more information. (3) Tell us the dollar amount of the suspected error. We will investigate your complaint and will correct any error promptly. If we take more than 10 business days to do this, we will recredit your account for the amount you think is in error, so that you will have use of the money during the time it takes to complete our investigation.

\*Available from the 212, 516, 716, 718, and 914 area codes. Outside these areas, call 1-800-935-9935 or (713) 216-7000 within Houston, TX. Hearing impaired customers with TDD equipment can call 1-800-CHASE-TD.

March 13 - April 10, 2003  
Page 4 of 5

124-00783-B008-00783- -002-1-01-0000-0000- -SY

Primary Account Number: 124-334555

**This Spring Win a Night on the Town**

**Peter Castellano**

Every time you use your Chase Banking Card with the MasterCard(R) logo for purchases made between 4/1/03 and 5/31/03, MasterCard will give you the chance to win a night on the town anywhere in the U.S. during the Debit MasterCard(R) Priceless Night on the Town Sweepstakes. Over 1,000 prizes in all.

See the enclosed insert for more information.

00321

March 13 - April 10, 2003  
**Page 5 of 5**

124-00783-B008-00783- -002-1-01-0000-0000- -SY

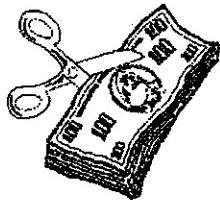
Primary Account Number: 124-334555

## **Cut Your Auto Insurance Premiums by Hundreds of Dollars!!!**

More and more Chase customers are having their policies written through the Chase Insurance Group Auto Insurance Program, underwritten by member companies of American International Group, Inc. (AIG). With this program, you too can take advantage of...

### **LOW RATES FOR CHASE CUSTOMERS.**

Competitive rates plus this program's generous discounts mean you could save an average of \$234\*\* a year.



### **24-HOUR CLAIMS SERVICE.**

AIG representatives are always ready to take your call. And a nationwide network of adjusters ensures that claims are handled promptly.

### **RELIABLE.**

You can count on AIG companies. The member companies consistently earn the highest possible rating – A++ (Superior)<sup>†</sup> – from A.M. Best, a leading independent rating company.

**Pick up the  
phone and  
you could  
save \$234\*\***

Call the AIG Companies for your  
NO COST, NO OBLIGATION rate quote.

**1-888-463-0029, ext. 4867**

*Open 24 hours a day, 7 days a week*

*Keycode: N5KXXX*

**CONSUMER INSURANCE DISCLOSURE:**  
 Insurance policies are:

<sup>†</sup> July 2002

- NOT A DEPOSIT
- NOT FDIC – INSURED
- NOT INSURED BY ANY FEDERAL GOVERNMENT AGENCY
- NOT GUARANTEED BY THE BANK

\*Chase Insurance Group refers to Chase Insurance Agency, Inc. and/or Chase Manhattan Insurance Agency, Inc. Products not available in all states.

\*\* Average annual earnings realized by policyholders in the sponsored insurance programs of AIG companies nationwide are based upon their report of previous carriers' rates on all new policies written from January 2002 to December 2002. This figure has been rounded to the nearest whole dollar. Savings will vary based on individual driving characteristics.

**AIG** American International Companies<sup>®</sup>  
Insurance Provided by Members of American International Group, Inc.

00322

# EXHIBIT C



## MARKET VALUE HISTORY REPORT | City of New York

January 15, 2008

[View 2003 FINAL ASSESSMENT ROLL](#)[View 2004 FINAL ASSESSMENT ROLL](#)[View 2005 FINAL ASSESSMENT ROLL](#)[View 2006 FINAL ASSESSMENT ROLL](#)[View 2007 FINAL ASSESSMENT ROLL](#)[View 2008 TENTATIVE ASSESSMENT ROLL](#)

## Parcel Information

[\*\*<< Previous BBL\*\*](#)[\*\*Next BBL >>\*\*](#)

## Property Address and Zip Code:

74 RAMBLE ROAD 10308

STATEN ISLAND

Borough: 5136

Block: 33

Lot:

## Market Value History

Tax Year	Market Value
2008/09	721,000(TENTATIVE)
2007/08	684,000
2006/07	647,000
2005/06	654,000
2004/05	648,000

[Statements List](#) | [Select a BBL](#) | [Logon to NYCProperty](#)Go To: [Finance Home Page](#) | [NYC.gov Home Page](#) | [Contact NYC.gov](#) | [FAQs](#) | [Privacy Statement](#) | [Site Map](#)